August 2011 Volume 1. Issue 1

## **Empowering Columbus**

# A



Human Rights Commission
Columbus, IN

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Without freedom from the past, there is no freedom at all, because the mind is never new, fresh, innocent.

Krishnamurti

## A Thought for Columbus – By Director Lorraine Smith

A Change is 'Gonna Come" ...

Famous R&B singer/songwriter, the late Sam Cooke wrote and sang about the hope of it's impending appearance amidst the Civil Rights movement in the 1960's. We were all hopeful and worked to change the life that existed during the civil rights movement. Columbus is experiencing change as we speak, politically and civically. There are some of us who like the thought of change and others who feel uncomfortable just breathing the word. However, without those advocating for change, we would not have gained the passage of the Civil Rights Act of 1964 or the Fair Housing Act, both affording victims of discrimination the ability to remedy their discriminatory situation. Change brought about Equal Pay Act, The Americans with Disabilities Act and on and on.

One change close to the Commission's home is that as of May 27th, I was selected by the Commissioners to lead the Columbus Human Rights Commission. With this honor comes a responsibility to carry out this organization's mission a mission that is inextricably tied to community driven efforts. Not only do I want this office to continue that work, but I want to add to the plate of initiatives that advance human rights legal knowledge in Columbus through increased outreach, but I also want to the Commission to be a leader in fostering and improving the Welcoming community environment in Columbus. The Commission's mission is, "To Lead Columbus in building and maintaining an inclusive community by enforcing the Human Rights Ordinance; educating the public; challenging attitudes and systems that created barriers to equality and EMPOWERING Community members to advance this mission." I hope that during the time I am in this position that I can help facilitate making

Columbus a Welcoming Community that is open to all regardless of one's generational label (Baby-boomer, Gen-Xer, millennial), one's ethnicity, or sexual orientation while fostering mutual respect. I hope that we can help find the connections that allows us all to respectfully live in the same community and perhaps along the way we'll learn from each other.

#### **Legal Update**

## Court Finds for EEOC in Religious Discrimination Suit Against Abercrombie & Fitch

Judge Finds Retailer Refused to Hire Teen Muslim Applicant Because of Head Scarf

TULSA, Okla. – A federal court has agreed with

the U.S. Equal Employment Opportunity Commission (EEOC) that national clothing retail giant Abercrombie & Fitch, doing business as Abercrombie Kids, committed religious discrimination against a 17-year-old Muslim girl. The EEOC had charged that Abercrombie Kids failed to hire Samantha Elauf for a sales position because she wore a hijab, or head scarf, in observance of her sincerely held religious beliefs. The court found that Abercrombie Kids refused to hire Elauf in June 2008 for a position at its store in Woodland Hills Mall in Tulsa, Okla., because she was wearing the hijab when she was interviewed and this violated the company's "look policy." The "look policy" prohibited the wearing of any head coverings. Abercrombie claimed that allowing Elauf to wear a hijab would cause an undue burden on the conduct of its business.

The court, noting that Abercrombie and Fitch had allowed numerous exceptions to its "look policy," including eight or nine head scarf exceptions, found Abercrombie had "completely failed to consider the impact, if any, of those exceptions" and that its evidence was thus too speculative. Title VII of the Civil Rights Act of 1964, as amended, protects workers from discrimination based upon religion. This includes disparate treatment, harassment and segregation of employees based on religion. Title VII requires employers to provide reasonable accommodations for the religious practices of its applicants and employees when to do so would not be an undue hardship.

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## **SPOTLIGHT on Welcoming Community**



#### A Thought for Columbus...continued

This is the Commission's reinvigorated newsletter first issue of "Empowering Columbus". This is not the Commission's first newsletter, but it is the first newsletter under my directorship. It is our goal that readers will find this newsletter informative in such a way that serves as a conduit to EMPOWER community members to build a welcoming community for all — whether through building one's human rights knowledge or finding new or helpful ways to connect to the diversity in our community.

Change should be for the better - if we make it so. As I think about my 31 years in the Columbus community, I have seen tremendous change. First coming here with my husband, both recruited by Cummins as part of a generation of African-Americans who mostly were first generation college attendees, we were looking for the life that our parents and Dr. King told us we could attain. I have witnessed a transformation in the community that could serve as an example to us all that we can build a community where each of us can find a place at the table. From CAMEO, the Inclusive Community Coalition to the opening of Coach's Cuts, and the opening of many different ethnic restaurants, it is clear Columbus has evolved and is evolving, but the critical observation is that the evolution is intentional. To make change worth it, it cannot occur by happenstance. Dr. King and others in the civil rights movement created the movement, strategized and took action to achieve the positive change for a better life. We are witnessing today the evolution of Columbus.

For those of you too young to know, 30 years ago, when my husband and I first came to Columbus, African Americans could not get a haircut in Columbus. Now when I drive by Coach's Cuts, I see African American men coming and going or sitting outside chatting. Not a scene from 1979. I sit around the table at CAMEO meetings with Chinese, Indians, Trinidadians, Middle Easterners working on common goals to support the multicultural programs and activities of Columbus. Not a scene from 1979. Don't misunderstand, we still have challenges and obstacles, as evidenced by the results of the Welcoming Community studies, but as evidenced by the recent Welcoming Community II study, this community is willing to continue to work on issues of inclusiveness to facilitate the "welcomeness" of our community. Speaking of change, in addition to my recent hire as director, I recently hired a new Deputy Director Frances L. Jordan to fill the spot I vacated. As our quote of the month states, "Without freedom from the past, there is no freedom at all because is never fresh, new, innocent." At the heart of this quote is the notion of change. Make it so! ■

## Tom Harmon, Chair of C.A.M.E.O.



Mr. Harmon is a graduate of Indiana Univ. in Bloomington, Univ. of Louisville and a graduate of the Amos Tuck School of Business Administration Minority Business Executive Program. He is the CEO of Taylors Brothers Construction Company Inc.. He is the current chair of C.A.M.E.O.

## Why is CAMEO so important to the Columbus community?

CAMEO is the product of the welcoming community survey. From the survey, we wanted to create an environment in Columbus that allowed the community to have a more welcoming face to diverse populations. It is very important to have a vibrant community to attract the best possible people. We don't want to limit Columbus' progress by not including all groups of people.

## How successful has CAMEO been since its start in 2009?

CAMEO has been quite successful in the Columbus community since beginning in 2009. We have been able to pair up with different organizations such as the International School of Columbus and the hospital to really improve our community's inclusiveness.

## What has CAMEO been doing lately?

On July 18<sup>th</sup>, we had our 3<sup>rd</sup> film out of our current Healthy Communities film festival, which is focusing on food. The film was about Indian food. Our next movies will be shown on October 10<sup>th</sup>, called "Pressure Cooker" at the Yes Cinema in downtown Columbus.



## A Few Facts about C.A.M.E.O. :

CAMEO is the Columbus Area Multi-Ethnic Organization. The organization was created in 2009 to provide a forum for ethnic associations to:

- Develop and coordinate programs and activities that encourage everyone to recognize and appreciate the traditions of all ethnic cultures, and
- To help make people feel welcomed in the community.

Check out their website: http://www.columbuscameo.or

## This Week: Women's Issues

## Ryan O'Reilly: TV ads show kitchen Civil Rights still Behind

From News-Leader.com http://www.news-leader.com/article/20110719/OPINIONS05/1071 90312/O-Reilly-TV-ads-show-kitchen-civil-rights-still-behind

On this day, July 19, in 1848 a few hundred men and women gathered at a chapel in Seneca, N.Y. Among attendees were event organizers Lucretia Mott and Elizabeth Cady Stanton, who convened the conference to "discuss the social, civil and religious condition and rights of women." At the conference attendees -- including abolitionist Frederick Douglass -- drafted a document meant to rally people the way the Declaration of Independence or the Emancipation Proclamation did.

Fast-forward a century and a half.

My job on most nights in our house in the present day is to make dinner. I don't think my wife and I came to this division of duties with any kind of progressive intention in mind. I just like to cook. I don't watch much television, but sometimes I'll have the machine on while preparing the meal to keep the non-cooking part of my brain occupied. Depending on the time of day, there are a considerable number of ads for kitchen appliances, cleaning tools and chemicals, food ingredients and the like. Ads for Swiffers, Lemon Pledge, Bounty Paper

Towels and Dirt Devil vacuum cleaners. What do most of these commercials have in common?

By and large their spokespersons are women. The wording and dynamic of the ads suggest women as the target market. Don't choosy Moms choose Jif, after all? And doesn't Mama got the magic of Clorox2? The women in these commercials are not only cooking, cleaning without any help from their spouse or partner, but they are perfectly made up; at times even wearing cute little aprons and a glimmering pearl necklace. It's as though the sleazy ad guys from the show "Mad Men" somehow wandered out of TV land and landed a job with a modern marketing firm. I even watched one ad for a little pink playhouse complete with a washer and dryer, kitchen and baby cradle. Sort of makes you queasy, doesn't

There are, of course as my friend Tina pointed out, the late Oxyclean spokesman Billy Mayes, Mr. Clean and the Sham-wow guy. But these are exceptions, and if you look Mr. Clean doesn't really clean anything. He towers over the spokeswoman with a rather menacing if approving facial expression. One person's target marketing is another person's latent sexism, I guess.

Co-columnist Francine Pratt has received some criticism for her observations cautioning against possible instances of racism, and extolling instances of harmony between the races. Critics allege that she is identifying a rift where none exists, as though civil rights were a nonissue.

But aren't civil rights and liberties ever-evolving precepts? We feel compelled to safeguard the notion or philosophy of "liberty," so why should we not guard against the erosion of our ancestors' progress in the arena of civil rights? The anniversary of Elizabeth Cady Stanton's first public documents outlining the foundations of suffrage is a time to consider how the present measures up against the past. Whether or not we've progressed. Shouldn't we be closer to the era when choosy parents choose Jif?



Outside the Box: Welcoming Community Tip

Stepping out of your comfort zone is hard, but when you do, you usually learn something valuable. Walking down a new road, a new path can be a challenge, but it also can open you to new things. We encourage you at the Commission to start a new road toward more diversity in your life. Tip: For this week, get a book or an article, about a culture you wouldn't normally read about and see what you learn. Afterwards, share it with someone you know, see where the conversation takes you!



#### **Mission**

To lead Columbus in building and maintaining an inclusive community by:

- Enforcing the Human Rights Ordinance
- 2. Educating the Public
- Challenging attitudes and systems that create barriers to equality
- 4. Empowering community members to advance this mission

Director: Lorraine Smith

Deputy Director: Frances L. Jordan

Secretary: Lula E. Young

City Hall 123 Washington #5 Columbus, IN 47201

PHONE: (812) 376-2532

FAX: (812) 375-2720

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## **Legal Update, continued**

"The EEOC is committed to enforcing the prohibition of all forms of religious discrimination," said P. David Lopez, EEOC General Counsel. "In this case, the Court's ruling makes clear an employer's 'corporate image' policy does not relieve an employer of the obligation to provide a reasonable religious accommodation." - Barbara A. Seely, regional attorney of the EEOC's St. Louis District Office, which is responsible for the agency's litigation in Oklahoma, said, "Samantha is a typical American teenager who has a sincere religious belief that she must wear a head scarf. Employers need to understand their obligation to balance employees' needs and rights to practice their religion with the conduct of their business. Where there is a minimal impact on the business, those religious needs must be accommodated."

Jeff A. Lee, one of the EEOC trial attorneys representing the EEOC, said, "The court has sent a clear message to employers: that the denial of a request for a reasonable accommodation of an employee's or applicant's religious beliefs must be based on demonstrated facts, not guesswork or speculation."

The full article can be found on: <a href="http://www1.eeoc.gov/eeoc/newsroom/release/7-15-11a.cfm">http://www1.eeoc.gov/eeoc/newsroom/release/7-15-11a.cfm</a>.

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on its web site at <a href="https://www.eeoc.gov">www.eeoc.gov</a>

## **Upcoming Events**

- 1. ORAL HISTORY COLLECTION WORKSHOP: A Day of Learning and Listening (sponsored by the Inclusive Community Coalition) Saturday, August 6. 8:45am 4:00pm, Bartholomew County Public Library, Red Room.
  - a. WHO IS LEADING: Barbara Truesdale, Assistant Director, Center for the Study of History and Memory, Indiana University Bloomington
  - b. WHO SHOULD ATTEND: Individuals willing to lead an oral history project for any non-political or non-religious group in Columbus area
  - c. COST: \$25 registration fee. For more information: http://www.Columbusicc.org
- Pride Picnic by the Columbus Pride Alliance Sunday, August 28, 2011 at 4 p.m. Mill Race Park in the large shelter house. Burgers, hotdogs, bocca burgers will be provided. Bring a side dish and/or a game!
- 3. **CAMEO General Membership Meeting** Columbus Learning Center-Summerville Room, August 10, 2011 at 6:00pm-7:00pm

